Australian Government

National Indigenous Australians Agency

Remote Jobs and Economic Development Program Grant Opportunity Guidelines

Opening date:	**Round One 11/12/2024** **Round Two 04/02/2025**
Closing date and time:	**Round One 14.00pm AEDT on 03/02/2025** **Round Two 14.00pm AEDT on 31/03/2025** **Note: The National Indigenous Australians Agency (the NIAA or the Agency) may amend the closing date and time at its own discretion by issuing a notice through the GrantConnect website.**
Commonwealth policy entity:	**National Indigenous Australians Agency (NIAA or the Agency)**
Enquiries:	**If you have any questions, contact the NIAA on** REAS@niaa.gov.au
Date Guidelines released:	**11/12/2024**
Type of grant opportunity:	**Open competitive and closed non-competitive.**
	Note: other NIAA grant opportunities will be advertised separately on GrantConnect and may have different requirements to those listed in this document.

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1. Remote Jobs and Economic Development (RJED) Program grant opportunity process

This grant opportunity is part of the above grant program. The Agency works with stakeholders to plan and design the grant program according to the Commonwealth Grants Rules and Principles (CGRPs).

The grant opportunity opens

We publish the grant guidelines on GrantConnect

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You complete and submit a grant application

You complete the application form and address all the eligibility and assessment criteria to be considered for a grant.

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We assess all grant applications

The RJED Program will consist of two assessment processes. A closed non-competitive process by which existing New Jobs Program Trial (NJPT) employers will be considered for streamlined transition into the RJED Program, and an open competitive process for all other prospective RJED applicants.

NJPT grant recipients will be considered for transition into the RJED Program without an application. Further details on how your suitability for RJED will be assessed, are provided in section 6.

For all other prospective employers, we assess the applications against eligibility criteria and notify you if you are not eligible. We assess your eligible application against the assessment criteria, including an overall consideration of value with money, and compare it to other applications in the same region.

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We make grant recommendations

We provide advice to the decision maker on the merits of each application.

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Grant decisions are made

The decision maker decides which applications are successful and approves the level of funding to be provided.

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We notify you of the outcome

We advise you of the outcome of your application.

↓

We negotiate and enter into a grant agreement

We will enter into a grant agreement with you if successful. The type of grant agreement is based on the nature of the grant and will be proportional to the risks involved.

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Delivery of grant

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.

↓

Evaluation
We may evaluate your specific grant activity and the broader Remote Jobs and Economic Development Program as a whole. We base this on information you provide to us and that we collect from various sources.

1.1 Introduction

These guidelines contain information for the Remote Jobs and Economic Development (RJED) Program grants, including how to apply for grant funding.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

Any alterations and addenda[1] to these guidelines will be published on GrantConnect.

2. About the Remote Jobs and Economic Development Program

In February 2024, the Australian Government announced that it would invest $707 million to deliver a new Remote Jobs and Economic Development (RJED) program. The RJED Program will provide people in remote communities with more jobs offering fair pay and conditions.

The RJED Program seeks to fund 3,000 **new job/s** over three years to support job seekers currently participating in or are eligible for Remote Employment Services (RES), the **New Jobs Program Trial (NJPT**), or Community Development Program (CDP) Trialling Pathways to Remote Employment (CDP Trials), to move into employment.

For the purposes of the RJED Program, a **new job** is:

- a job which does not already exist within an organisation and does not displace an existing employee or
- a job created under the NJPT or CDP Trials.

The design of RJED has incorporated feedback provided through stakeholder and community consultations undertaken in 2023 and 2024, and learnings and evidence from the NJPT, the CDP Trials, and other relevant employment-based delivered by the Commonwealth.

Ongoing consultations will be conducted with remote communities and stakeholders to continue to inform the delivery of the RJED Program, with opportunities to revise and improve the Program through future grant rounds.

[1] Alterations and addenda include but are not limited to: corrections to currently published documents, changes to closing times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents.

The intended outcomes of RJED are:

- 3,000 jobs successfully taken up in **RES regions**
- delivering more services in **RES regions**
- creating more jobs offering fair pay and conditions
- improving employment and engagement outcomes for **RJED employees** and communities
- increasing socio-economic and wellbeing outcomes through the take up of more jobs offering fair pay and conditions for **RJED employees**, their families and communities
- increasing the number of formal employment relationships and flow-on effects of direct jobs in community and local business sectors, who will become 'employers of choice' for local job seekers
- contributing to the Closing the Gap Priority Reforms and targets, to the extent that the RJED Program creates new jobs for First Nations people.

In addition to the expected primary outcome of reducing remote job seeker reliance on Government welfare and income support, longer term impacts may include:

- increasing opportunities for **eligible organisations** to train and recruit locals compared to external workforces with no connection to community
- increasing commitment to economic development in remote Australia.

The RJED Program is funded through Program 1.1 – Jobs, Land and the Economy, through which the Agency provide activities, assistance, infrastructure, research and services for remote Australia to create and sustain jobs and employment. The Agency administers these grants according to the Commonwealth Grants Rules and Principles (CGRPs).

2.1 About the Remote Jobs and Economic Development Program grant opportunity

We will initially provide funding for up to 3 years, with up to $44.1 million (GST exclusive) of grant funding available for the 2024-2025 financial year to support approximately 630 **new jobs** through the open competitive grant process. The **decision maker** may approve more than 630 **new jobs** if there are sufficient funds available.

To balance the needs of organisations that are ready to apply now with those organisations that need more time, the Agency will deliver these jobs through two consecutive grant rounds. The 2024-25 funding and number of jobs available for the open competitive process through each round is as follows:

- RJED Round 1 grant opportunity - $26.5 million for approximately 378 jobs, opening on 11 December 2024 and closing on 3 February 2025.
- RJED Round 2 grant opportunity - $17.6 million for approximately 252 jobs, opening on 4 February 2025 and closing on 31 March 2025.

Both the RJED Round 1 and Round 2 grant opportunities have two streams of funding available:

1. Job Creation – to fund the cost of wages and related entitlements to provide people in remote communities with more jobs with fair pay and conditions.
2. The Community Jobs and Business Fund (CJBF) – to provide funding for equipment, operational costs and infrastructure to directly support bringing jobs created under the Job Creation stream into existence.

Applicants can apply for Job Creation funding only, or Job Creation and CJBF funding. Applicants cannot apply for CJBF funding only.

Grant funding is available to **eligible organisations** (section 4.1 refers) to create **eligible jobs** (section 4.1 refers) in a **RES region** (Appendix 3 refers).

If there are not enough suitable applications to meet the RJED Program outcomes, the Agency may open subsequent grant opportunities as competitive, targeted or closed non-competitive processes.

NJPT transition to the RJED Program

In recognition of the contribution that the NJPT has made in informing the design of the RJED Program, the Agency may consider a streamlined transition of NJPT grant recipients and the funded jobs to the RJED Program without an application. This process will be conducted in consultation with relevant NJPT grant recipients and will involve an assessment of eligibility as outlined in these guidelines, value with relevant money and alignment with the RJED Program outcomes. Further information on the impacts of this transition on the Round 1 and Round 2 grant opportunities are provided in the relevant sections of these guidelines (including section 3, 4, 6 and 7).

NJPT grant recipients assessed as eligible for transition are expected to commence their grant activities on 1 July 2025. Funding these activities will be drawn from 2025-26 allocations and do not impact the amount of funding available to applicants through the RJED Round 1 and 2 open competitive processes.

3. Grant amount, grant period and initial regional job allocations

3.1 Grants available

For the RJED Program open competitive process Round 1 grant opportunity, up to $26.5 million (GST exclusive) will be available in the 2024-2025 financial year to fund approximately 378 jobs and $17.6 million (GST exclusive) will be available to fund approximately 252 jobs in RJED Round 2. You may apply for funding in both RJED grant Round 1 and 2.

Funding will be available for up to 3 years. The **decision maker** may approve more than the indicated number of jobs if there are sufficient funds available.

The total of all grants awarded cannot exceed the amount of available funds.

There is no limit on the number of jobs that a single applicant can apply for. We will consider value with relevant money and the availability of funds to meet the RJED Program outcomes in offering a grant. To meet RJED Program outcomes, the Agency retains the discretion to offer a successful applicant funding for less than the number of jobs the applicant has applied for and/or less than the amount of CJBF funding they applied for. The Agency will apply an initial regional allocation of jobs (section 3.3 refers).

Grant funding will be available under the following streams:

Job Creation stream

The amount of grant funding per job will be based on the costs the employer would have to pay the employee for undertaking the job, up to the award rate. This includes:

- employee wages
- other salary expenses and/or allowances
- superannuation and
- leave entitlements to undertake the identified job.

The amount of grant funding will be determined by the wages and entitlements as applicable under the relevant award or minimum wage (section 5.3 refers).

Where a successful applicant has entered into a funding agreement with the Agency and there is a change in the relevant award or minimum wage, the Agency may consider approving additional funding up to the difference between the old and new rate, subject to funding availability.

CJBF stream

Note: The Agency will only consider CJBF funding applications where funding has also been applied for under the Job Creation stream. CJBF funding must be directly linked to Job Creation.

Eligible expenditure under CJBF includes for example oncosts and overheads, human resources, personal protective equipment and supports for **RJED employees** including mentoring and supervision. Examples of eligible and ineligible expenditure and the maximum amounts for certain types of expenditure can be found in section 5.3.

The total amount of CJBF funding will depend on the number of jobs, scope of the grant activity and demonstrated connection to the job/s.

Applications for CJBF funding should be proportionate to the number of jobs applied for.

3.2 Grant period

The RJED Program is intended to create new jobs that will help people develop the skills and experience needed to transition to sustainable employment. The Agency will fund each new job for a period up to 3 years from the date the grant agreement is executed by both parties, noting that the Agency will negotiate with the applicant the actual duration of each grant agreement within this 3-year limit.

Note that these grant agreements may contain extension clauses that the Agency may exercise at its sole discretion (section 12.3 refers). When identifying an **eligible job** and **eligible employee,** applicants should consider the recent changes to the *Fair Work Act 2009* (Fair Work Act) including those relating to fixed term contracts.

3.3 Initial regional job allocations

Initial regional allocations of jobs to be funded under the RJED open competitive grant opportunity Rounds 1 and 2 are outlined in Table 1. Initial allocations are to ensure all **RES regions** have the opportunity to benefit from RJED funding and the creation of **new jobs**. These initial allocations take into consideration the size of the April 2024 CDP caseload in each **NIAA region**.

Where an eligible NJPT grant recipient transitions into the RJED Program, existing jobs and eligible expenditure funded under NJPT will also transition. We have initially allocated 300 jobs to the NJPT transition to ensure all eligible jobs are able to transition to RJED. This allocation is in addition to the 630 jobs available through the open competitive process. If any of the 300 NJPT transition jobs remain unallocated following transition, the decision make may reallocate these jobs to either the Round two open competitive process or to another grant round.

The **decision maker** reserves the right to approve more than the total initial allocation of jobs through each of the Round 1 and Round 2 grant opportunities as long as the amount of funding approved for all successful applications in each round does not exceed the funds available for that grant round.

Table 1: Initial RJED job allocations per relevant NIAA region

NIAA Region	RJED Round 1	RJED Round 2	Total
Arnhem Land & Groote Eylandt	54	35	89

Central Australia	48	32	80
Greater Western Australia	58	38	96
Kimberley	40	27	67
North Queensland	69	46	115
South Australia	25	17	42
South Queensland	7	6	13
Top End & Tiwi Islands	68	45	113
Western NSW	9	6	15
Total	**378**	**252**	**630**

Initial job allocations are an estimate only and assume 20% of jobs are full-time and 80% are part-time, with part time jobs averaging 20 hours per week. Please note, this information is provided for illustrative purposes only and should not be used to guide the number of hours for each job included in your application. In determining the numbers of hours for each job, applicants should consider the number of hours required to undertake the duties of the proposed role(s).

We recognise that the nature of employment offered will differ as a reflection of the needs and capabilities in each community and the jobs. Applicants must include the number of hours they are applying for in the budget template (section 7.1 refers).

We will also consider other factors when assessing applications and determining the number of jobs approved for funding in each **RES region**, including (but not limited to):

- the achievement of RJED Program outcomes
- value with relevant money and performance against assessment criteria and other applications (section 8.1 refers)
- moving un-allocated jobs to other regions
- CJBF stream funding required to support jobs and
- not exceeding the total amount of available funds.

We may also move unallocated funding and/or jobs to future RJED grant rounds.

The **decision maker** makes the final decision on which applications to approve, including where this requires changes to the initial RJED job allocations in Table 1.

CJBF funding decisions will be made on a case-by-case basis, considering what is required to support jobs approved in the Job Creation stream (section 5.3 refers). CJBF funding allocation has not been distributed across **NIAA regions**.

Reallocations

The **decision maker** reserves the right to reallocate jobs between **NIAA regions**, or to another grant round, where the relevant initial allocation for a particular region is not met, or where unfilled jobs have been reallocated by the Agency (please refer to section 10.6).

4. Eligibility criteria

The Agency cannot consider applications that do not satisfy all the eligibility criteria.

Organisations that are not eligible to apply for funding are encouraged to consider partnering with an **eligible organisation**.

4.1 Who is eligible to apply for a grant?

To be eligible to receive funding you must be an **eligible organisation** offering an **eligible job** to an **eligible employee**.

For NJPT grant recipients to be an **eligible organisation**, you must have a current NJPT grant agreement with the Agency.

For all other applicants to be an **eligible organisation,** you must:

- be operating or intend to operate in an **RES region(s)** (Appendix 3 refers)
- be one of the following entity types:
    - an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* *(CATSI Act)*
    - a company incorporated in Australia under the *Corporations Act 2001*
    - an incorporated trustee on behalf of a trust[2]
    - an incorporated association or an incorporated cooperative (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc' in their legal name)
    - a partnership
    - a joint venture (consortia) application with a lead organisation that satisfies the entity type[3]
    - a registered charity or not-for-profit organisation
    - an Australian local government body, including Regional Councils and Local Aboriginal Councils
    - a Corporate Commonwealth entity or Commonwealth Company established under the Prime Minister and Cabinet Portfolio which can demonstrate strong alignment with RJED outcomes and engages in place-based service delivery in an **RES region** (e.g. Outback Stores Pty Ltd and the Northern Territory Land Councils)
    - an individual or sole trader seeking to employ another individual (i.e. you may not apply for a job for yourself).
- have an Australian Business Number (ABN) (exemptions may apply in special cases)
- where relevant, be registered for the purposes of GST
- have a bank account, in your name and which you control, with an Australian financial institution
- be financially viable to the Agency's satisfaction:
    - The application form has questions about financial viability. The Agency may also undertake its own enquiries in relation to your financial viability

[2] A trust itself is not a legal entity and cannot enter into a grant agreement.

[3] The Australian Government recognises that some organisations may seek to form consortia in order to apply for a grant under the Program. Consortia are eligible to apply and the relevant conditions applicable to consortia are at 7.2 'Joint Applications'

- be compliant with all relevant state/territory and Commonwealth legislation, including (but not limited to) the Fair Work Act, *Superannuation Act 2005* and those relating to work health and safety and
- have rectified any issues of previous non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth or be in the process of rectifying any issues of non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth.

To remove doubt:

- an organisation **does not** need to be owned or operated by a majority of Aboriginal and Torres Strait Islander people to apply and
- an organisation **does not** need to be an Aboriginal Community Controlled Organisation to apply.

To be an **eligible job** the role must:

- be a **new job** (as defined at section 2 above)
- be located in an **RES region** (see Appendix 3)
- not displace an existing employee
- meet all relevant state and territory and Commonwealth workplace legislation including the Fair Work Act and workplace health and safety requirements and
- have the support of the local community.

To be an **eligible employee** the individual must have or be able to obtain the required qualifications to support their placement in a job, and must be:

- a declared program participant for remote employment services
- a job seeker eligible for remote employment services
- aged 15-24 and located in a **RES region** or
- a participant in the NJPT or CDP Trials.

To remove doubt, a person does not need to be an Aboriginal and/or Torres Strait Islander person to be an **eligible employee**.

4.2 Who is not eligible to apply for a grant?

An organisation is not eligible if it is any of the following:

- an organisation, or its project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme
- a non-corporate Commonwealth entity
- an individual or sole trader applying for funding for self-employment
- an unincorporated association or an unincorporated cooperative
- an overseas resident/organisation
- declared bankrupt or subject to insolvency proceedings—as relevant to the entity type or
- named as currently non-compliant under the *Workplace Gender Equality Act 2012*.

4.3 What qualifications, skills or checks are required?

If your application is successful your organisation, and all personnel working on the grant activity, must comply, where relevant, with:

- all applicable state, territory and Commonwealth legislation, including (but not limited to):
  - the Fair Work Act

- the *Superannuation Act 2005*
- those relating to work health and safety and

- any requirement to hold particular qualifications, permits, registrations and licences required to lawfully deliver the funded activity, including (but not limited to):
  - Working with Children checks and/or Working with Vulnerable People registration
  - Industry licenses or registration requirements and
  - Australian Skills Quality Authority accreditation requirements.

4.4 Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy, all organisations that receive grant funding totalling $500,000 or more (GST exclusive) in any single financial year from the NIAA are required to:

- incorporate under Commonwealth legislation— **First Nations organisations** will be required to incorporate under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and other organisations will be required to incorporate under the *Corporations Act 2001* and
- maintain these arrangements while they continue to receive any NIAA funding.

First Nations organisations already incorporated under the *Corporations Act 2001* do not have to change their incorporation status. However, all other **First Nations organisations** must be incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* so they can access the assistance and support available under the Act.

For further information on incorporation requirements please refer to Appendix 1.

5. What the grant money can be used for

5.1 RJED funding streams

Applicants can apply for Job Creation funding only, or Job Creation and CJBF funding. You cannot apply for CJBF funding only.

Jobs Creation stream

Jobs created under the Job Creation stream of this grant opportunity should:

- seek to build employees' work skills, experience and confidence
- be a casual, part-time or full-time job with the proposed number of hours worked per fortnight to be indicated in the budget template accompanying your grant application
- have the support of the local community and
- meet eligible expenditure requirements listed under section 5.3.

CJBF stream

CJBF funding can be used for equipment, operational costs and infrastructure to directly support bringing jobs created under the Job Creation stream into existence.

To be eligible for CJBF funding, your activity must be approved for Job Creation funding.

Additional Requirements

Your application should take into account:

- the cultural and linguistic needs of Australians whose first language is not English and be mindful of the Commonwealth Ombudsman's Best Practice Principles for interpreting. Use of Interpreters - Commonwealth Ombudsman

- the needs of Australians with disability including how the proposed activity supports one or more of the seven policy outcome areas outlined in Australia's Disability Strategy 2021–2031 and
- differing barriers and opportunities experienced by subsets of remote communities, which may include but are not limited to First Nations people.

Given the changing and variable impacts of COVID-19 across Australia, activities must be delivered in alignment with relevant government and health advice to limit the risk of transmission of COVID-19, particularly with respect to protecting older people and those with chronic health issues.

5.2 Eligible locations

Eligible jobs funded under the Job Creation stream must be based in an **RES region.**

As job allocations are based on **NIAA regions**, you will need to submit a separate application for each **NIAA region** where you intend to deliver a job:

- If you apply for jobs located in more than one **RES region**, but all of those jobs are in the same **NIAA region**, you will only need to submit one application for those jobs in that **NIAA region**.
- If you apply for jobs located in more than one **RES region**, and those jobs are in different **NIAA regions**, you will need to submit a separate application for the jobs in each **NIAA region**.

Further guidance on this requirement is provided in section 6 of these guidelines and further guidance on the linkages between **RES regions** and **NIAA regions** is located at Appendix 3.

5.3 Eligible expenditure

Grant funding can only be spent on **eligible grant activities** in accordance with your grant agreement with the Agency. Grant recipients will be required to acquit relevant activity-related expenditure.

A grant agreement must be executed before the grantee can deliver the activity and before the Agency can make any payments. If you choose to start your grant activity before a grant agreement is executed, the Agency is not responsible for this expenditure, and you do so at your own risk.

Job Creation stream

Eligible expenditure items include:

- Wages and salary expenses at the relevant **Award** rate for the position or relevant National or State Minimum Wage rate, whichever applies.[4]
    - Determining the appropriate rates of pay for new jobs will be the applicant's responsibility and, as an employer, you must ensure your employees receive the correct payments for the hours worked, along with other entitlements.
        - In determining the correct rate of pay for a new job, applicants will need to consider the skill level of any potential **RJED employee** and the Award rate commensurate with those skills.

[4] Most employers are 'national system employers' (that is, covered by the Fair Work Act) and the specific minimum wages and entitlements will be set by a workplace instrument underpinned by the minimum National Employment Standards. Employers who are not national system employers must pay all wages and entitlements required under relevant state legislation. See Fair Work Ombudsman website for information about which jobs are covered by the Fair Work Act.

- If a position you're applying for RJED funding to create is covered by an enterprise agreement, you will be responsible for funding any wages or entitlements higher than as required by the relevant Award or relevant National or State Minimum Wage and relevant National or State Employment Standards.

  - Funding requested will include penalty rates, overtime, remote assistance and other allowances as prescribed by the relevant Award or relevant National or State Employment Standards, including casual loading and leave entitlements, if applicable.

- Superannuation
  - Applicants must determine the appropriate superannuation payments to meet relevant requirements paying employees their superannuation entitlements, as set out in legislation and by the Australian Taxation Office.
- Leave entitlements
  - Applicants are required to understand and comply with any leave entitlements prescribed by the relevant Award or relevant National or State Employment standards

The amount of Job Creation stream funding provided to successful applicants will depend on the job/s they are creating and whether an employee is entitled to receive an adult or a youth wage, casual, part time or full time, Award or minimum wage.

CJBF stream

Eligible expenditure includes equipment, capacity building and infrastructure which clearly and directly supports a job(s) being created under the Job Creation stream. Eligible expenditure items include, but are not limited to, those outlined in Table 2.

Not all proposed expenditure items in your application may be eligible for CJBF funding. The **decision maker** will make the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

Applications for funding under CJBF should be proportionate to the number of jobs applied for. The expenditure amounts below are listed here as a guide. The **decision maker** reserves the right to determine what is proportionate, including if an exceptional case can be made, higher funding may be considered.

You must be able to demonstrate that the CJBF funding you are applying for is directly linked to the employment positions applied for under the Job Creation stream. For clarity, CJBF funding cannot be used for developing broader organisational capability, community development, or broader economic development. Table 2 is illustrative. You can apply for CJBF funding for expenditure items not explicitly listed in Table 2, but you must be able to demonstrate why CJBF funding is required to bring a new job into existence and how CJBF funding will support you to employ an eligible person under the Job Creation stream.

Table 2: Eligible CJBF expenditure items

Expenditure item	Guidance on maximum per grant (GST exclusive)	Example items
Minor refurbishment or modification to existing facilities for the benefit of **RJED employees**	$500,000	WHS modifications/adjustments Building a shade shelter for employees Sheds for equipment storage or work areas Transportable buildings for office space

Lease or purchase of equipment and materials needed by **RJED employees** to do their jobs	$300,000	Uniforms and protective equipment WHS modifications/ adjustments Tools and small machinery ICT equipment, including satellite phones and mobile devices Technical and specialist equipment, such as screen printing, earth moving machinery Vehicles and vessels, such as all-terrain vehicles and fishing vessels Lease or purchase of a bus for employee transport
Materials and consumables to support **RJED employees** entering and staying in employment	$300,000	Engagement of mentoring or other employee support services Development of bespoke employment, training and induction resources for **RJED employees** Other programs that address barriers to employment, such as literacy, numeracy or digital literacy
Capacity and capability building for organisations to meet the personal employment needs of **RJED employees**	$350,000	One-off purchase of payroll processing software or HR software Business planning in relation to employees or employment, e.g. workforce planning, succession planning or career planning Support for development of employee-related policy and processes, e.g. legal advice Time limited payment of supervisor or trainer wages, e.g. six months to train **RJED employees** on the job Development of secure remote IT systems to enable **RJED employees** to work away from the office Training, support and advice related to: • Human Resource Management • Workplace Health and Safety • Workplace Relations Leadership and management training specific to the supervision, leading and management of employees

		Consultancy and advice on developing programs, policies and processes to recruit, develop and retain employees Infrastructure to support the sale of employee work e.g. website and payment platform
On costs and overheads	One-off funding up to 15% of the total job creation costs to cover on-costs	Human resources support, such as HR/pay roll costs or implementing the Australian Taxation Office's Single Touch Payroll function Workers compensation and insurance Property operating expenses Desktop ICT equipment and costs (for example – computer, attributed IT costs such as internet or IT support
Employee programs and services designed to reduce barriers to entering and staying in employment	$200,000	Transport Crèche services for employees with caring responsibilities Meals services Mentoring programs

The Agency may change Table 2 from time to time. If your application is successful, the version of these guidelines that were applicable on the date you submitted your application applies to your grant activity.

Individual assets leased or purchased with CJBF funding, with a value of $5,000 or greater, will be subject to specific requirements. These requirements are outlined in the sample grant agreement available on GrantConnect.

5.4 What the grant money cannot be used for

You cannot use RJED Program funding for any of the following activities:

- to fund a job if any of the following apply:
  - the job receives or has received funding from another source (this exclusion does not apply to jobs funded under the NJPT or CDP Trials)
  - the job is an existing job that is vacant (this exclusion does not apply to jobs funded under the NJPT or CDP Trials)
  - the job displaces an existing employee
  - the job is a self-employed position
  - the job is a commission-based job or
  - the job is likely to bring the NIAA or the Commonwealth into disrepute.
- to employ someone if they:
  - are not participating in remote employment services or are not otherwise eligible for RES or

- do not have, and cannot obtain, the skills and qualifications required to perform the job.

- to pay wages and entitlements higher than as required by the relevant award or relevant National or State Minimum Wage and relevant National or State Employment Standards, including at enterprise agreement or contract rates
- activities that do not directly contribute or clearly align with RJED Program outcomes, including (but not limited to) payment of fines or loans, purchase of gifts, personal debts, ATO debts or sitting fees
- retrospective costs (i.e. costs incurred before the date of the grant agreement)
- costs incurred in the preparation of a grant application or related documentation unless specifically agreed with the Agency
- legal representation
- expenses for which other Commonwealth, state, territory or local government bodies have primary responsibility to provide the source of funding. The **decision maker** reserves the right to determine funding expenses which are, or should be, funded from another source where the organisation meets the eligibility criteria (section 4.1 refers)
- purchase of land
- on costs and overhead expenses not directly linked to bringing a new job into existence
- existing employees' administrative and/or miscellaneous costs not approved to be funded using Job Creation stream funding – e.g. wages, rent, overseas travel
- overseas travel
- proposed grant activities outside of Australia or
- marketing campaigns.

6. The assessment criteria

The RJED Program will consist of two assessment processes:

1. a closed non-competitive process by which existing NJPT grant recipients will be considered for streamlined transition into the RJED Program and
2. an open competitive process for all other prospective applicants.

Assessment Process 1 – Closed non-competitive – existing NJPT grant recipients

In recognition of the contribution that the NJPT has made in informing the design of the RJED Program, the Agency may consider a streamlined transition of NJPT grant recipients and the funded jobs to the RJED Program without an application. This process acknowledges that NJPT grant recipients have recently been approved for funding for an NJPT grant activity by the Agency as well as possessing relevant performance delivery history for an NJPT grant activity. NJPT grant recipients transitioning into RJED will still be required to meet all the eligibility requirements outlined in these guidelines.

In assessing an NJPT employer's suitability to transition to the RJED Program, the Agency will consider the following:

- value with relevant money and alignment with RJED outcomes
- application and assessment scores for the NJPT
- compliance with Program requirements, including performance reporting, acquittals and underspends

- performance under the NJPT, including job placements, job duration, the delivery of goods and services to community. Consideration will also be given to any risk or issues identified as part of NJPT project delivery and
- performance under other NIAA grant agreements where relevant.

In considering the above, the NIAA will make a recommendation to the **decision maker** of NJPT grant recipients found suitable and not suitable to transition from the NJPT into the RJED Program.

NJPT grant recipients found suitable to transition into the RJED Program may be offered to continue existing NJPT employment position(s) and associated eligible expenses under RJED through a new funding agreement. NJPT grant recipients seeking to increase their employment positions or to deliver new or different services in their communities will need to apply under a future RJED round.

The NIAA will contact existing NJPT participants to confirm their interest in transitioning into the RJED Program in the first half of 2025.

Assessment Process 2 – Open-competitive – all other prospective applicants

All other prospective applicants must address all criteria. These criteria will be given equal weighting. You must also complete the budget template and provide details as relevant for the corresponding budget category.

As job allocations are based on **NIAA regions**, you will need to submit a separate application for each **NIAA region** where you intend to deliver a job:

- If you apply for jobs located in more than one **RES region**, but all of those jobs are in the same **NIAA region**, you will only need to submit one application for those jobs in that **NIAA region**.
- If you apply for jobs located in more than one **RES region**, and those jobs are in different **NIAA regions**, you will need to submit a separate application for the jobs in each **NIAA region**.

Further guidance on the linkages between **RES regions** and **NIAA regions** is located at Appendix 3.

If you have questions about whether you will be required to submit more than one application, please contact the Applicant Support Help Desk (see section 7.5).

Assessors score the following criteria to inform the Agency's funding recommendations. We may ask for clarification or additional information from you that will not change the nature of your application to support the assessment process. However, we can refuse to accept any additional information from you that would change your submission after the application closing time. Your application may be rejected if, after 3 days, we do not receive the additional information requested, unless an extension has been agreed by the **decision maker**.

Criterion 1: Creating new jobs

Applicants must describe the proposed job/s and the plan for supporting **eligible employee/s** living in the community/ies to move into employment.

Applicants should provide a description of:

- the proposed job/s
- for each job, the type of job/s (industry), the type of employment (casual, part-time or full time) and other information required in your budget template
- whether and how the job/s will support groups particularly at risk of unemployment, including RES participants, youth, people leaving prison or people with disability and
- how the job/s may be sustainable and actions that will be undertaken to ensure ongoing sustainability of the job/s beyond the RJED funding.

Criterion 2: Community need

Applicants should outline:

- how they engaged with the local community/ies to align the job/s with local needs and priorities
- how they will demonstrate their commitment to continuing this engagement
- how RJED funding would strengthen and enhance the provision of goods and services in the community and
- details of their approach to identifying and engaging employees in the community.

Applicants must provide supporting evidence of community support for the job/s which may include, but is not limited to:

- a letter of support from the local community and/or
- other documentation/evidence that the local community endorses the new job/s.

Criterion 3: Organisation Capability and Delivery

Applicants' responses to this criterion should include:

- the impact of RJED funding on your organisation, including how the funding will support your organisation to deliver new job/s
- examples of your successes and/or lessons learned from past experiences and
- the key things that need to go well or what could potentially go wrong with the new job/s and how you plan to manage those factors.

Criterion 4: Delivering Outcomes and Economic Benefits to the community

(only required for applicants seeking funding from the Community Jobs and Business Fund)

Applicants should clearly outline why the funding is required to bring a new job(s) into existence and how the funding will support employing an eligible employee(s).

In addition, you must complete the budget template provided capturing:

- Under 15% of Job Creation budget (Oncosts)
  - A detailed description of the oncosts.
- Over 15% of the Job Creation budget
  - A detailed description of the oncosts and additional information as outlined in the budget template.

7. How to Apply

For existing NJPT grant recipients

Existing NJPT grant recipients will be contacted by the Agency in the first half of 2025 to gauge their interest in a streamlined transition into the RJED Program.

Where existing NJPT grant recipients express an interest in continuing employment projects under the RJED Program the Agency will conduct an internal assessment as set out in Assessment Process 1 of section 6 of these guidelines.

For all other prospective applicants

For all other prospective applicants, the grant process is competitive, which means applications will be considered on their merits and will be compared to other applications.

It is important to note that any discussion with the Agency about a grant activity or the lodgement of an application form **does not guarantee that your activity will be funded**.

Before applying, applicants must read and understand these guidelines and other information available on GrantConnect, including a sample application form, budget template, FAQs and a

sample grant agreement. The Agency may make changes and issue addenda[5] to these grant opportunity guidelines. Any changes will be published on GrantConnect, as the authoritative source for grants information. You will be automatically notified of any changes if you register on GrantConnect.

To apply you must:

- complete the online application form on GrantConnect;
- provide all the information requested;
- address all eligibility criteria and assessment criteria 1, 2, and 3;
- address assessment criteria 4 if applying for CJBF stream funding;
- include all necessary attachments and
- submit your application for the RJED round 1 grant opportunity by 3/02/2025 and/or the round 2 opportunity by 31/03/2025.

A checklist is available at Appendix 2 to help you submit a completed application. You should keep a copy of your application and any supporting documents.

You are responsible for ensuring that your application is complete and accurate. You cannot change your application after the closing date and time. The Agency is not able to ask for the requested documentation that should have been provided with the application (section 7.1 refers).

We may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time. Your application may be rejected if, after three days, we do not receive the additional information requested, unless an extension is agreed by the **decision maker**.

If you find an error in your application after submitting it, you should contact us immediately at IASAMO@niaa.gov.au. We do not have to accept any additional information or requests from you to correct your application after the closing time.

Giving false or misleading information is a serious offence under the *Criminal Code 1995*. Any false or misleading information will be investigated and may exclude your application from further consideration.

The Agency will acknowledge it has received your application upon submission. If you do not receive an email from noreply@industry.gov.au confirming that it has been received, please contact applicant support (section 7.5 refers).

7.1 Attachments to the application

You must include the following documents with your application:

- An itemised budget using the template provided that specifies:
  - a breakdown of costs and funding for each financial year in which the proposed activity will operate
  - total funding being requested and

[5] Changes and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

- details of any applications for funding that are currently awaiting a decision and include the nature of the support for example, funding contribution, in kind support, resources and expertise.

- A document containing:
  - a list of key personnel of the organisation - include Director/s, Chief Executive Officer, Chief Financial Officer/Accountant/Auditor and Chief Operating Officer. This should include names and position titles
  - an organisation chart for your organisation
  - if applicable, a chart of associated entities as defined by s50AAA of the *Corporations Act 2001*. This should show the relationships between companies, including levels of ownership and control
  - evidence of bank account details, such as a copy of a current bank statement. This must be a bank account in your name and which you control
  - evidence of support from the community/ies where you propose to deliver this activity and
- If you are a non-government applicant who does not have a current grant agreement with the NIAA, or former IAS grant agreement with the Department of the Prime Minister and Cabinet (PM&C), you will be required to provide all of the following documentation with your application:
  - If you are required by your regulator to keep financial statements, you must provide a copy of your most recent financial statements such as an audited financial statement (audited expenditure report), income and expenditure statement, or a balance sheet to inform your Organisation Risk Profile (ORP)[6].
  - If you are not required by your regulator to keep financial statements or unable to provide an audited financial statement, you must provide:
    - an income and expenditure statement
    - balance sheet and
    - statement of assets and liabilities.
  - A copy of your Certificate of Incorporation where relevant (organisations registered with Australian Charities and Not-for-Profits Commission are exempt from this requirement).
  - A copy of a completed ATO 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form if you are not able to quote an ABN.

There is a size limit of 2MB for each attachment and a total limit of 10MB for each application. Any applications above this limit will not be received.

You must attach supporting documentation to the application form in line with the instructions provided within the form. The Agency will not consider attached information that is not requested by the Agency.

7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a grant activity.

[6] The ORP and the Activity Risk Assessment (ARA) help to determine the level of controls applied to your grant agreement, noting that if your ARA is high or extreme, an annual audited expenditure report will be a standard requirement under your grant agreement. For further information, please refer to section 10.8.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Agency. The application must identify all other members of the proposed group (and include a letter of support from each of the partners).

Each letter of support should include:

- Details of the partner organisation
- An overview of how each partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the grant activity
- An outline of the relevant experience and/or expertise each partner organisation will bring to the group
- The roles/responsibilities of each partner organisation and the resources they will contribute, (if any) and
- Details of a nominated management level contact officer at each partner organisation

You must have a formal arrangement in place with all parties and provide a copy to us prior to execution of the grant agreement.

7.3 Trust Applications

For applications made on behalf of a Trust, the application must be made in the name of the Trustee as listed in the Trust Deed. For example, if ABC Trust has a Trustee listed in the Trust Deed as XYZ Pty Ltd, then the application must be made in the name of XYZ Pty Ltd as Trustee for ABC Trust.

The Agency may request additional information in order to consider your application. This could include a copy of the Trust Deed (in force at the time of application) and other information (including financial information) on the trust and the corporate trustee.

7.4 Timing of the grant opportunity processes

As part of the streamlined transition into the RJED Program, NJPT grant recipients who have expressed an interest in transitioning to RJED and have been assessed under Assessment Process 1 will be notified of their suitability to transition from the NJPT into the RJED Program in the first half of 2025.

All other RJED applicants must submit applications between the published opening and closing date and time for the relevant grant round. Late applications may be accepted if extenuating circumstances exist and at the discretion of the NIAA.

If you are successful, we expect you will be able to commence your grant activity around mid-April 2025 on execution of your grant agreement.

Table 3: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	4 weeks
Approval of outcomes of selection process	2 weeks
Notify applicants of outcomes	1 week
Negotiation of grant agreement	Up to 6 weeks
Execution of grant agreement	2 weeks

Earliest start date of grant activity	On execution of your grant agreement
End date of grant activity	As specified in your grant agreement

7.5 Questions during the application process

If you have any questions during the application period, please contact the applicant support helpdesk by phone or email. Contact details for the applicant support helpdesk are ph: 1800 939 500 and REAS@niaa.gov.au.

The helpdesk will:

- Assist applicants by clarifying information in these grant opportunity guidelines, including:
  - Explaining the Program outcomes, eligibility criteria and application requirements
  - Breaking down terminology and answering specific caller questions where they relate to the above.
- Direct applicants to other publicly available resources on technical matters outside the scope of the helpdesk (e.g. award wages calculators)
- Record any questions which are not already answered in these grant opportunity guidelines and post the answers on GrantConnect for the equal benefit of all potential applicants
- Accept calls and emails between 9am-5pm (AEDT) Monday to Friday for the duration of the application period for each grant round, except for:
  - The last 3 working days before the close of each application period
  - The period from 5pm AEDT on 20 December 2024 to 9am AEDT on 2 January 2025 and
  - National public holidays.
- Endeavour to respond to your questions within three working days and
- Provide a call-back service for out-of-hours calls, or if a call is not answered

The helpdesk will not:

- Tell applicants how to write their application
- Assist with calculating budgets
- Indicate likely assessment outcomes for an application or
- Disclose the details of other applications received

For the RJED round 2 grant opportunity, applicants may elect to receive additional support on their grant applications via an individualised application workshopping session, provided by a third-party grant writing expert.

To be eligible for this support, applicants must meet the criteria below:

- Be assessed as eligible under assessment process 2 to receive funding for RJED as outlined in section 6 and
- Be a “small organisation” defined by the Fair Work Act as employing less than 15 employees and reporting an aggregated turnover of less than $10 million.

Your eligibility to receive this additional support will be assessed by an expression of interest to be emailed to REAS@niaa.gov.au once RJED grant round two opens. Please note, eligibility for the RJED grant round is not guaranteed by participation in a grant writing support.

The Agency does not provide financial or legal advice to applicants or grantees. Applicants or grantees should seek their own independent professional advice on financial and legal matters, including compliance with any statutory obligations.

8. The grant selection process

8.1 Assessment of grant applications

We will consider eligible applications for Job Creation funding through a closed non-competitive process for NJPT grant recipients and an open competitive grant process for all other applicants.

NJPT grant recipients will be assessed for transition into the RJED Program without an application using the process outlined in section 6.

For all other employers, we will assess eligible applications against the assessment criteria (see section 6) and against other applications. We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications in your region and
- whether it provides value with relevant money.[7]

We may also consider indicative regional allocations (section 3.1 refers) and how you have delivered other Commonwealth funded activities, if applicable.

8.2 Who will assess applications?

We will assess each application on its merit and an expert panel will compare it to other eligible applications before the Agency recommends to a decision maker which grant applications should be awarded grant funding. The expert panel will be made up of Agency staff and relevant external experts/advisors.

Any expert/advisor who is not a Commonwealth Official will be required to perform their duties in accordance with the CGRPs and confidentiality and conflict of interest policies.

We will assess your application based on the information you have provided. We may also consider your performance under other grant agreements with the Agency. We may seek additional information about your organisation or your application. We may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The expert panel may also consider information about you or your application that is available through the normal course of business.

The Agency will then put forward a recommendation to the decision-maker about whether to approve the proposed grant. The recommendation will be based on the merits of the application including consideration of the assessment, risk, value with money, priority areas of need, and availability of funding.

8.3 Who will approve grants?

The **decision maker** approves the grants, taking into account the recommendations of the Agency and the availability of grant funds.

The **decision maker's** decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded
- the terms and conditions of the grant.

[7] See glossary for an explanation of 'value with money'.

9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

There is no appeal mechanism for decisions to approve or not approve a grant.

9.1 Feedback on your application

If your application is unsuccessful, you may seek feedback on your application by contacting your local NIAA Regional Office.

You can submit a new application in any future grant opportunities under the RJED Program. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

10. Successful grant applications

10.1 The grant agreement

For both NJPT grant recipients and all other successful grant applicants, if you choose to accept a grant offer, you must enter into a legally binding grant agreement with the Agency. The type of grant agreement and its mandatory terms and conditions will depend on the size and complexity of your grant activity, as well as the level of risk associated with the activity. A sample grant agreement is available on GrantConnect.

The grant agreement will provide a detailed description of the funded activity and specific terms and conditions, which may include:

- key performance indicators and performance reporting requirements
- financial reporting requirements
- acquittal requirements
- a funding payment schedule
- details of the bank account into which the grant funds will be paid (note: it is Agency policy that grant funds will only be paid into a bank account which, as the applicant, is in your name and which you control)
- mandatory requirements for Working with Children checks, Working with Vulnerable People checks
- mandatory requirements to comply with applicable work health and safety obligations including those provided under Commonwealth work health and safety legislation
- insurance requirements including compliance with the Work Health and Safety Act 2011 to cover your obligations in relation to the grant funding to be delivered
- mandatory requirements to handle personal information in compliance with the Australian Privacy Principles as set out in Schedule 1 of the Privacy Act 1988. Further information about privacy and confidentiality is also included at section 13 of this document
- mandatory requirements including compliance with conditions under section 35 of the *Industry Research and Development Act 1986* if the applicant is a corporation to which paragraph 51(xx) of the Constitution applies
- requirements to maintain the confidentiality of any information deemed by the Agency to be confidential
- record keeping requirements.

You will work with an Agreement Manager from the NIAA Regional Office or National Office to effectively manage the grant agreement.

The Agency must execute a grant agreement with you before we can make any payments. There is no guarantee of funding until both parties have executed a grant agreement, and the Agency is not responsible for any of your expenditure until a grant agreement is executed.

If you choose to start your grant activity before you have an executed grant agreement, you do so at your own risk (including incurring financial costs that may not be covered by the grant agreement).

If you receive any grant funding from other Commonwealth, state or territory government granting programs for the same activity this may limit the amount of funding you might be entitled to under this grant opportunity, unless specifically agreed to in writing by the Agency. You must provide information about other funding received for the Agency's consideration.

If you fail to meet the obligations of the grant agreement, the Agency may terminate the grant agreement. The Agency or the Commonwealth may also recover grant funds if there is a breach of the grant agreement.

The grant agreement incorporates appropriate safeguards against fraud and unlawful activities and includes the right to request the removal of personnel for other inappropriate conduct or associations that may cause reputational damage to the Agency or Commonwealth.

10.2 Management of debt and underspend

A previous debt or underspend under an Agency grant agreement may influence the outcome of an application, including an awarded grant amount. The Agency reserves the right to recover an underspend by offsetting it against an amount payable under another agreement. Offsetting involves reducing future grant payments up to the amount of the underspend. If a debt has been incurred, the Agency may seek return of those funds or pursue other remedies.

10.3 Negotiation of funded activities

Before a grant agreement is entered into, the Agency will negotiate the scope of the activity and the terms and conditions with you.

If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn, and the grant may be offered to a different applicant.

10.4 Execution of the grant agreement

You will have 30 days from the date of a written offer to execute the grant agreement with the Agency or in accordance with other instructions provided by the Agency in writing. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period.

10.5 Recruitment and employment responsibilities

A person employed in a job funded through RJED will become an employee of the organisation receiving funding.

Organisations must:

- pay wages, entitlements and provide suitable working conditions, as required by law;

- be compliant with all relevant laws and regulations. You may be requested to demonstrate compliance with (but not limited to) the following legislation/policies/industry standards where they apply:
  - *Fair Work Act 2009*
  - *Superannuation Guarantee (Administration) Act 1992*
  - provide wellbeing and cultural support to employees and
- provide relevant training and mentoring or coaching to upskill employees, and

Organisations should:

- engage with the local community on ongoing employment needs and progress towards RJED Program outcomes
- work with local **RES providers** to identify suitable existing or eligible RES participants for the jobs and
- work with local **RES providers** to ensure the employee has the required documentation to commence employment, for example an Australian bank account or superannuation account.

10.6 How we pay the grant

Funding will be paid in accordance with the terms and conditions of the grant agreement.

The Agency may make an initial payment on execution of the grant agreement. Subsequent payments of funding, whether quarterly, six monthly or annually, is dependent on you complying with the grant agreement requirements, including satisfactory progress against performance and financial reporting milestones. You will also be required to report how you spent the grant funds during the period of the grant activity or at the completion of the grant activity.

The funding provided by the Agency will not exceed the total funding amount set out in the grant agreement. If your expenditure exceeds the amount granted you must pay this additional expenditure yourself.

Payment of Job Creation stream funding will be by instalment over the life of the grant. Payments will be dependent on **RJED employees** being engaged in the jobs created.

Where an approved RJED employment position is not filled within 12 months of the grant agreement commencing, the Agency may choose to recover these positions, and the associated funding, and reallocate them to meet overall RJED Program outcomes.

Payment of CJBF stream funding will be dependent on the nature of the expenditure type and when the funding will be required throughout the grant period. For example, CJBF funding required to make premises safe for **RJED employees** will be released up front whilst CJBF funding for annual operating expenses will be released in instalments over the life of the grant agreement.

10.7 Grants payment and GST

Payments will be Goods and Services Tax (GST) inclusive unless you are not registered for GST or certain exceptions set out in the GST legislation apply. Subject to those exceptions, we will add GST to your grant payment and issue you with a Recipient Created Tax Invoice.

Unless otherwise indicated by the Agency, all figures quoted in grant documentation will be GST exclusive.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent advice on your taxation obligations or seek assistance from the Australian Taxation Office.[8] We do not provide advice on taxation matters.

10.8 Risk and compliance

In managing risk and compliance, the Agency will work with you to achieve the intended outcomes of the grant activity. The risk management approach will focus management effort where risk levels are high and supports consistent application of appropriate grant controls based on assessed risks.

The type of grant agreement and its terms and conditions will depend on the nature of the activity and the level of risk involved at both the **organisation** and **activity** levels.

- **Organisation** risk assessment. At the time a grant application is assessed, or an existing grant is considered for extension, an Organisation Risk Profile (ORP) is completed. The ORP is an evidence-based tool that assesses an organisation's governance, financial management and service delivery capability. The ORP enables consistent and transparent assessment by Agency staff.
- **Activity** risk assessment. All NIAA grant activities undergo an Activity Risk Assessment (ARA) to determine whether the grant activity risk is low, medium, high or extreme. This assessment takes into account the ORP rating, the annualised value of the grant activity and the nature of the activity. This approach enables the application of standard grant agreement requirements, controls and management approaches for low, medium, high or extreme risk grant activities, while also building in controls for any special requirements that apply, such as working with vulnerable people and work health and safety.

As a principle, higher risk activities will typically be subject to increased controls and greater 8oversight. The intent of this is to work with organisations to overcome risks. Conversely, low risk activities will be subject to less oversight and management, which may include a single annual payment and reduced reporting.

The Agency will work with you to achieve the intended outcomes of the activity. In circumstances of non-compliance with the grant agreement, the Agency will consider an appropriate response under the grant agreement, including recovery of grant funds or termination of the grant agreement.

11. Announcement of grants

Once your grant is executed, it will be listed on the GrantConnect website within 21 calendar days after the grant execution date, as required by Section 5.3 of the CGRPs.

12. How we monitor your grant activity

The Agency uses a number of approaches to monitor funded activities. These include the below.

- On-the-ground monitoring, predominately through the NIAA Regional Offices
  - The Agency uses an active 'on-the-ground' strategy to monitor the **RJED employers** and activities primarily through the NIAA Regional Offices. This can involve site visits, discussions with community members and service recipients, and ongoing contact with the grantees. A priority for the Agency is active engagement to assist with early identification and treatment of activity delivery risks and other issues as they arise.

[8] https://www.ato.gov.au/

- Periodic reporting by the provider on the performance of activities
  - The Agency, in conjunction with the grant recipient, will set key performance indicators for each activity to measure progress against identified outcomes, including the extent to which the RJED Program contributes towards meeting applicable Closing the Gap targets. To this end, the Agency may include key performance indicators to inform broader data sets, such as First Nations employment data. These will be set out in the grant agreement. The grant recipient will be assessed against all key performance indicators over the course of the funded activity.
- Compliance operations, where necessary
  - We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We may also inspect, copy or remove and retain the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit or request.

12.1 Keeping us informed

If you enter into a grant agreement for RJED activities, you should keep us updated if anything is likely to affect your grant activity or organisation by contacting the Agency's contact officer listed in your grant agreement.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant activity, carry on a business and pay debts due.

You must also inform us of any of the following changes:

- name
- addresses
- nominated contact details
- bank account details
- ABN
- GST registration or status
- if your organisation has an outstanding and overdue ATO debt.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

12.2 Reporting

You will be required to periodically report on the overall progress and performance of your activity, and against the key performance indicators in your grant agreement. The frequency and content of reporting requirements will depend on the funded activity and will be contained in the grant agreement. The Agency will also source a range of data and information to inform its judgement. In completing performance reports, you are encouraged to be open about the status of the activity, any service delivery risks and issues, and to provide data to support any claims made. This instils confidence in your management reporting systems and allows us to better work with you to improve performance, if necessary.

Financial reports are required from grantees to provide evidence that funds have been expended for the purposes provided and so that any underspend or overspend can be managed. The annual value of the grant and the risk rating of the grantee and the activity determine the financial reporting requirements. The default financial reporting requirement is one report per year. Financial reporting requirements will be specified in the grant agreement.

12.3 Grant agreement variations

We recognise that unexpected events may affect your progress or impact on your ability to achieve results on the Agency's priorities.

Consistent with the CGRPs, we would only vary a grant agreement in limited circumstances. Grant agreements would only be varied when:

- adjustments are necessary to enable the grantee to complete the projects or activities set out in the original grant agreement, and then only for the length of time needed to achieve completion and
- the variation does not significantly change the scope of the initial grant agreement.

We may also vary grant agreements to reduce funding because employment outcomes have not been achieved as planned.

The instigating party must put its concerns, issues and proposed changes in writing before the grant agreement end date. Do not assume that a variation request will be successful. The Agency will consider your request based on provisions in the grant agreement, the CGRPs, and the likely impact on achieving outcomes.

All decisions to vary a grant agreement must be mutually agreed by you and the Agency before a variation can be executed.

12.4 Compliance visits

We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We will provide you with reasonable notice of any compliance visit (e.g. 10 business days).

12.5 Record keeping

You must comply with the record keeping requirements as set out in the grant agreement.

12.6 Monitoring, evaluation and learning

We will monitor and evaluate the RJED Program to measure how well outcomes have been achieved, including outcomes for **RJED employees**, organisations and communities. Monitoring and evaluation activities may:

- use information from your application and reports
- use systems to understand experiences throughout the Program, (this could include apps to report progress from both businesses and employees in the Program)
- interview you, employees or other stakeholders, or ask for more information on how the grant impacted your organisation, employees and/or the wider community and how effective it was in achieving its outcomes. This may be in the form of an online application, or other methods as directed by the NIAA
- contacted you during and/or after the Program to support RJED Program monitoring and evaluation. We may request assistance in distributing information related to monitoring and evaluation of the grant activity to employees and other members of your community
- engage third parties to collect information or provide information to third parties as needed for monitoring, evaluation and related activities.

12.7 Acknowledgement of funding

If you make a public statement about a grant activity funded under the Program, we require you to acknowledge the grant by using the following:

'This grant activity received grant funding from the Australian Government.'

13. Probity

The Australian Government will ensure the grant opportunity process:

- is fair
- runs in accordance with these guidelines
- incorporates appropriate safeguards against fraud, corruption and unlawful activities and other inappropriate conduct
- is consistent with the CGRPs.

The NIAA may make changes to these guidelines and publish the revised guidelines on GrantConnect.

13.1 Enquiries and feedback

If you have any questions about this grant opportunity, contact 1800 939 500 or REAS@niaa.gov.au

If you have questions about grant decisions following the announcement of outcomes, contact your local NIAA Regional Office.

If you would like to make a complaint about a grant process phone (02) 6152 3050 or email complaints@niaa.gov.au

If you do not agree with the way the Agency has handled your complaint, you may wish to contact the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Agency.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: ombudsman.gov.au

If you suspect or know about fraudulent or corrupt activity by a NIAA employee, service provider or contractor, contact the NIAA Integrity Group by:

Phoning our hotline on (02) 6152 3020
Emailing integrity@niaa.gov.au

13.2 Conflicts of interest

Conflicts of interest can affect the performance of the grant opportunity or program. There may be an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, if the Agency's staff, any member of a committee, panel or advisor and/or you or any of your personnel, including subcontractors and volunteers has, but not limited to:

- A professional, political, commercial or personal relationship with a party who is or is perceived to be able to influence the application selection process, such as an Australian Government officer or member of an external panel.
- A relationship with or interest in, an organisation or individual, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently. And/or
- A relationship with, or interest in, an organisation or individual from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

You will be asked to declare, as part of your application, any actual, perceived or potential conflicts of interests or that, to the best of your knowledge, there is no conflict of interest. The Agency will make the final decision on what is determined as an actual, potential or perceived conflict of interest.

If you later identify an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, you must inform the Agency in writing immediately and provide further information to the satisfaction of the Agency.

Expert panel members and other officials including the **decision maker** must also declare any conflicts of interest.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*.

13.3 Privacy

We treat your personal information according to the Privacy Act 1988 and the Australian Privacy Principles. This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with:

- other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws
- to third parties where required to manage and resolve complaints relating to the RJED Program
- Australian Government Ministers and the Parliament in response to a request for information and
- third parties for administering, managing and monitoring the RJED Program, and for evaluation and related activities

If you do not provide your personal information, the Agency may be unable to process your grant application.

As part of your application, you declare your ability to comply with the Privacy Act 1988 and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the Agency would breach an Australian Privacy Principle as defined in the Act.

The Agency's Privacy Policy contains information about how you can access the personal information held by the Agency and seek correction of the information. It also explains how you can make a complaint about a breach of the Australian Privacy Principles and how the Agency will handle this complaint. You can access the Privacy Policy on our website at niaa.gov.au or email privacy@niaa.gov.au for a copy of the policy.

13.4 Confidential information

Other than information available in the public domain, you agree not to disclose to any person, other than the Agency, any confidential information relating to the grant application and/or grant agreement, without the Agency's prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for: you; your employees; agents or subcontractors, to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will treat the information you give us as sensitive and therefore confidential if it meets all three conditions below:

1. You clearly identify the information as confidential and explain why we should treat it as confidential.
2. The information is commercially sensitive.
3. Revealing the information would cause unreasonable harm to you or someone else.

The Australian Government may use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes giving information to the Australian Taxation Office and other government agencies for compliance purposes.

We may reveal personal and confidential information to:

- The expert panel, which may include Agency officers, community representatives and/or subject matter experts, and other Commonwealth employees and contractors to help us manage the Program effectively
- Employees and contractors of our Agency so we can research, assess, monitor and analyse our programs and activities
- Employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- Other Commonwealth, state, territory or local government agencies in Program reports and consultations
- The Auditor-General, Ombudsman or Privacy Commissioner
- The responsible Minister or Parliamentary Secretary
- A House or a Committee of the Australian Parliament

We may share the information you give us with other Commonwealth agencies for any purposes including government administration, research or service delivery and according to Australian laws.

The grant agreement will include any specific requirements about special categories of information collected, created or held under the grant agreement.

13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the Freedom of Information Act 1982 (FOI Act) .

Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All freedom of information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: The Freedom of Information Coordinator
National Indigenous Australians Agency
PO Box 2191
CANBERRA ACT 2601

By email: foi@niaa.gov.au

14. Consultation

These guidelines draw on feedback received from previous public consultation processes and the Agency's daily role in working with providers and remote communities across Australia.

The Agency will continue to review the guidelines based on our experience in working with remote communities, as well as the experiences of our grantees.

15. Glossary

Term	Definition
Agency	The National Indigenous Australians Agency (also referred to as NIAA).
Assessment criteria	Are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings or ratings.
Award	The award rate is a baseline salary determined by an award, which sets the minimum pay for employees in specific industries or jobs. This rate ensures that employees receive fair compensation for their work. It varies across different awards, reflecting the unique demands and conditions of various occupations.
Casual	A person is a casual employee if, when they start employment: • the employment relationship has no firm advance commitment to ongoing work, taking into account a number of factors, and • they are entitled to a casual loading or specific casual pay rate under an award, registered agreement, or employment contract. See more information on the Fair Work website.
Commonwealth entity	An Agency of a State, or a Parliamentary Department or Agency, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the Public Governance Performance and Accountability Act 2013.
Commonwealth Grants Rules and Principles (CGRPs)	The CGRPs establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration in the CGRPs
Company	A company is a legal entity with obligations under the Corporations Act 2001. See full definition at https://business.gov.au/planning/business-structures-and-types/business-structures/company

Term	Definition
Control	Control is related to the people in your organisation that have decision-making authority over strategic direction or governance. For most entities, this will mean your Board or Management Committee. Depending on the legal entity type, control may mean: • **Directors and Secretary—**Company Limited by Shares, Company Limited by Guarantee, Cooperatives • **Management Committee and Public Officer**—ORIC-Registered Indigenous Corporations, Incorporated Associations • **Proprietor/partner—**Sole traders, actual person partnerships. **Note:** for trusts, the trustee will typically be one of the legal entities above.
Constitutional corporation	A corporation to which paragraph 51(xx) of the Constitution applies.
Cooperative	A cooperative is a member-owned, legally incorporated business structure with at least five members. See full definition at https://business.gov.au/planning/business-structures-and-types/business-structures/co-operative
Corporations Act 2001	An act of the Commonwealth that sets out the laws dealing with business entities in Australia at federal and interstate level. It focuses primarily on companies, although it also covers some laws relating to other entities such as partnerships and managed grant funding schemes. Incorporation can be applied for through the Australian Securities and Investment Commission website.
Corporations (Aboriginal and Torres Strait Islander) Act 2006	The law that establishes the role of the Registrar of Aboriginal and Torres Strait Islander Corporations, now called the Registrar of Indigenous Corporations, and allows Indigenous Australian groups to form corporations. The Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act) replaced the *Aboriginal Councils and Associations Act 1976* (ACA Act). Under the CATSI Act, laws governing Indigenous corporations have been modernised while retaining special measures to meet the specific needs of Indigenous Australians. Incorporation can be applied for through the Office of the Registrar of Indigenous Corporations (ORIC) website.
Decision maker	The person who makes a decision to award a grant.
Eligibility criteria	The mandatory criteria which must be met to qualify for a grant. See Section 4.

Term	Definition
Eligible employees	See the relevant section under Section 4.1 Who is eligible to apply for a grant.
Eligible jobs	See the relevant section under Section 4.1 Who is eligible to apply for a grant.
Eligible organisations	See the relevant section under Section 4.1 Who is eligible to apply for a grant.
Evaluation	Evaluation is the systematic measurement of the significance, merit and worth of policies and programs, undertaken to understand and improve decisions about investment. Evaluation involves the assessment of outcomes and operations of programs or policy compared to expectations in order to make improvements.
Fair Work system	The Fair Work system is the national workplace relations system and was created by the *Fair Work Act 2009*. The key features of the Fair Work system are: • the minimum National Employment Standards • awards that apply nationally for specific industries and occupations • the national minimum wage • protection from unfair dismissal. Awards, together with the National Employment Standards and the national minimum wage, make up a safety net of entitlements for employees covered by the Fair Work system. Employers and employees who aren't covered by the Fair Work system are covered by legislation specific to their state. See information about who is covered by the Fair Work system at https://www.fairwork.gov.au/about-us/workplace-laws/fair-work-system#act
First Nations Organisation (Note: This definition is used for administering the Incorporation Requirements only – Refer to Appendix 2)	Aligns with the s29-5 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and Part 2 – Regulation 6 of the Corporations (Aboriginal and Torres Strait Islander) Regulations 2017 • If the corporation has five (5) or more members—at least 51% of the members are First Nations Australians. • If the corporation has fewer than five (5) members but more than one (1) member—all of the members, or all but one of the members are First Nations Australians. • If the corporation has only one (1) member – that member is a First Nations Australian.

Term	Definition
	Note that “member” is used as a term for ownership and may vary between entity types (e.g. “shareholder” for co-operatives). **and** Aligns with s246-5 of the Act—a majority of the directors must be First Nations peoples.
Full time	Full-time employees usually work an average of 38 hours each week. They're usually employed on a permanent basis or on a fixed term contract. See more information on the Fair Work website.
Grant	Is defined by CGRPs paragraph 2.3 as an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: (a) under which relevant money or other CRF money is to be paid to a grantee other than the Commonwealth; and (b) which is to help achieve one or more of the Australian Government’s policy outcomes while assisting the grantee to achieve its objectives.
Grant activity	Is the project/tasks/services that the grantee is required to undertake with the grant money. It is described in the grant agreement.
Grant agreement	Sets out the relationship between the parties to the agreement and specifies the details of the grant. A RJED Program grant agreement comprises the Head Agreement, the Project Schedule and any documents attached or incorporated by references into either of those documents. The Head Agreement sets out the general terms and conditions that apply to all RJED funding for a particular grantee. The Project Schedule sets out specific terms and conditions that apply to each stream of funding.
GrantConnect	Is the Australian Government’s whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRPs.
Grantee	An organisation that has been awarded a grant.

Term	Definition
Incorporated association	An incorporated association is an organisation incorporated in a state or territory under the laws of that state or territory. Its structure establishes it as a legal entity separate from its individual members. See full definition at https://www.acnc.gov.au/for-charities/start-charity/you-start-charity/legal-structure
Industry Research and Development Act 1986	An act of the Commonwealth that, among other things, authorises spending on programs relating to industry, innovation, science and research.
Joint venture	A joint venture is an agreement between 2 or more parties to work together for the purpose of completing a specific task or project. See full definition at https://business.gov.au/planning/business-structures-and-types/business-structures/joint-venture
Local government body	Local governments are established and defined under the relevant state or territory legislation.

Management	Management refers to the responsibility for the day-to-day operation of the funded organisation. It includes:
	• the CEO (or equivalent)
	• the people occupying the highest positions in relation to:
	  ○ service delivery
	  ○ finances
	  ○ operations (e.g. property, ICT), and/or
	  ○ human resources.

NIAA Region	See the map linked here https://www.indigenous.gov.au/regional-network
NJPT	The NIAA's New Jobs Program Trial
Non-corporate Commonwealth entity	Non-corporate Commonwealth entities (NCEs) are legally and financially part of the Commonwealth. NCEs are established under power that comes from the Constitution, usually through legislation and the exercise of executive power. See full definition in the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act).
Not-for-profit organisation	A not-for-profit is generally an organisation that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run the organisation, or their friends or relatives). See full definition at https://www.acnc.gov.au/for-charities/start-charity/not-for-profit

Term	Definition
Owners	Depending on legal entity type, “Owners” may be based on your: • **Members—**ORIC-Registered Indigenous Corporations, Companies Limited by Guarantee, Incorporated Associations • **Shareholders—**Companies Limited by Shares, Cooperatives • **Proprietors/partners—**Sole traders, actual person partnerships • **Beneficiaries—**Trusts If you are a for-profit entity, ownership relates to those who draw a financial benefit from the entity (other than a salary/wage). For not-for-profits, “benefit” is a broader term that may include social/cultural benefits or maintaining an asset or rights (including native title).
Part time	Part-time employees work less than 38 hours per week and their hours are usually regular each week. They're usually employed on a permanent basis or on a fixed term contract. See more information on the Fair Work website.
Partnership	A partnership is a business structure made up of 2 or more people who distribute income or losses between themselves. See full definition at https://business.gov.au/planning/business-structures-and-types/business-structures/partnership
Registered charity	As determined by the Australian Charities and Not-for-profits Commission under the *Charities Act 2013, the Australian Charities and Not-for-profits Commission Act 2012 (Cth)* and other relevant legislation in your state or territory.

Term	Definition
Remote and very remote	The Agency generally applies the Accessibility/Remoteness Index of Australia (ARIA)+ to define remote areas, except where otherwise indicated. ARIA is widely accepted as Australia's most authoritative geographic measure of remoteness. ARIA measures the remoteness of a populated locality by its physical distance by road to the nearest urban centre. Please see the map at Figure A for a geographic representation of remote areas defined under ARIA. The Agency recognises there are some communities located within inner or outer regional areas that may be considered remote that fall outside the definition of remote explained above. These may be communities that have limited access to government services or standards of infrastructure.
Remote Employment Service (RES)	Dedicated employment services for remote communities within the RES regions (as defined below) Currently serviced by the NIAA's Community Development Program (CDP)
RES provider	An organisation providing remote employment services (RES).
RES region	See the map at Appendix 3
RJED Employee	An employee of an organisation occupying an RJED funded job.
Selection process	The method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
Sole trader	A sole trader is legally responsible for all aspects of the business including any debts and losses and day-to-day business decisions.
Trust	A trust is a structure where a trustee carries out the business on behalf of the trust's members (or beneficiaries). See full definition at https://business.gov.au/planning/business-structures-and-types/business-structures/trust

Term	Definition
Unincorporated association	An unincorporated association is one type of legal structure for a charity. Unlike an incorporated structure, an unincorporated association is not a separate legal entity from its members. See full definition at https://www.acnc.gov.au/for-charities/start-charity/you-start-charity/who-can-apply-be-registered/unincorporated
Value with money	Value with money in this document refers to a judgement based on the grant application representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations. When administering a grant opportunity, an official will consider the relevant financial and non-financial costs and benefits of each application including, but not limited to: Employers • the quality of the grant activity/s proposed • fitness for purpose of the proposal in contributing to government objectives • that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved, and • the potential grantee's relevant experience, and performance history. Value with money is sometimes referred to as 'value with relevant money' or 'value for money'.

Appendix 1: Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy all organisations receiving grant funding totalling $500,000 (GST exclusive) or more in any single financial year from the NIAA are required to:

- incorporate under Commonwealth legislation— First Nations organisations will be required to incorporate under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and other organisations will be required to incorporate under the Corporations Act 2001; and
- maintain these arrangements while they continue to receive any NIAA funding.

The incorporation requirements apply to grant funding under grant agreements or variations executed on or after 1 July 2014. Grants for capital works and funding sourced through procurement activities are not included in the calculation of applicable funding.

Statutory bodies, government bodies, and organisations operating under a specific piece of legislation are excluded from the requirements and do not have to apply for an exemption.

First Nations organisations already incorporated under the Corporations Act 2001 do not have to change their incorporation status. However, all other First Nations organisations in scope of this policy must incorporate under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 so they can access the assistance and support available under the Act.

Organisations will need to comply with this requirement as part of their grant agreement. Non-compliance will constitute a breach and may result in the termination of the grant agreement.

Organisations will have a six-month transition period to comply with the incorporation requirement from the execution of the grant agreement or variation of an existing grant agreement. At the Agency's discretion extended transition periods may be granted to organisations if the organisation has applied for an extension in writing and can provide evidence that they have made reasonable attempts during the six month period to transition, but are unable to meet this requirement in that time.

Organisations may apply for an exemption from the requirement to incorporate under the Strengthening Organisational Governance Policy. Applications for exemption must be submitted using the process outlined by the Agency. Details about the exemptions policy and the Application for Exemption form can be found on the Agency's website.

Exemptions will be considered where an organisation can demonstrate at least one of the following:

1. That grant funding received from the NIAA is a small portion of its total revenue, and as such changing incorporation status may unfairly impose additional requirements on its operations and business model.
2. It is required to incorporate under specific non-Commonwealth legislation as part of its licensing arrangements or funding received through other sources.

Applications for exemption will be considered on a case-by-case basis, and will take into consideration information demonstrating that the organisation is well-governed, high-performing and low risk.

Applications for exemption from the requirements should be lodged through the Agreement Manager in the NIAA Regional Office. Applications should be lodged within the transition period, as

soon as practicable once an offer of funding has been made. Organisations will be expected to comply with the requirements within the transition period should an exemption not be granted.

Support for First Nations organisations transferring to the Corporations (Aboriginal and Torres Strait Islander) Act 2006 is available through the Office of the Registrar of Indigenous Corporations (ORIC). This includes assistance in developing a rulebook, guidance on the process to transfer incorporation, and access to pro bono legal assistance through the LawHelp service.

Organisations required to transfer their incorporation from state and territory legislation to either the Corporations (Aboriginal and Torres Strait Islander) Act 2006 or the Corporations Act 2001 may incur some additional, one-off costs for independent legal advice and accountancy services to support the transfer of incorporation. **To assist those organisations required to transfer their incorporation status, the Agency will provide a one-off $10,000 (GST exclusive) payment upon receipt of evidence that the transfer has occurred.**

Please refer to the Agency's website at https://www.niaa.gov.au/indigenous-affairs/grants-and-funding/incorporation-requirements for further information.

Appendix 2: Grant application checklist

Before you submit an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

	Eligibility requirements set out in the grant opportunity guidelines are met.
	Evidence can be provided to demonstrate incorporation status where applicable.
	This document has been read and understood.
	Program outcomes are understood, and the proposed activity(s) contribute to the outcomes of the Program.
	The assessment criteria are understood and met.
	The draft grant agreement has been read. When an application is submitted applicants must confirm that, if their application is successful, they will accept the terms of the grant agreement. If you are not able to accept the terms of the grant agreement, you should discuss this with the Application support before completing the application form.
	The name and contact details of two referees who can support the claims made in the application against the assessment criteria can be provided.
	If the applicant has a current NIAA grant agreement, have the Provider Reference Number ready. The 'Provider Reference Number' can be found on the grant agreement.

Completing the application form

	Ensure every section of the application form is completed.
	Complete the application form in English.
	Complete the 'Declaration' section of the application form. Ensure all fields are completed including the checkboxes. If completing the form online, instead of signing the document, the applicant, or person authorised to act on behalf of the applicant, should type their full name in the field.

Joint (consortia) applicants:

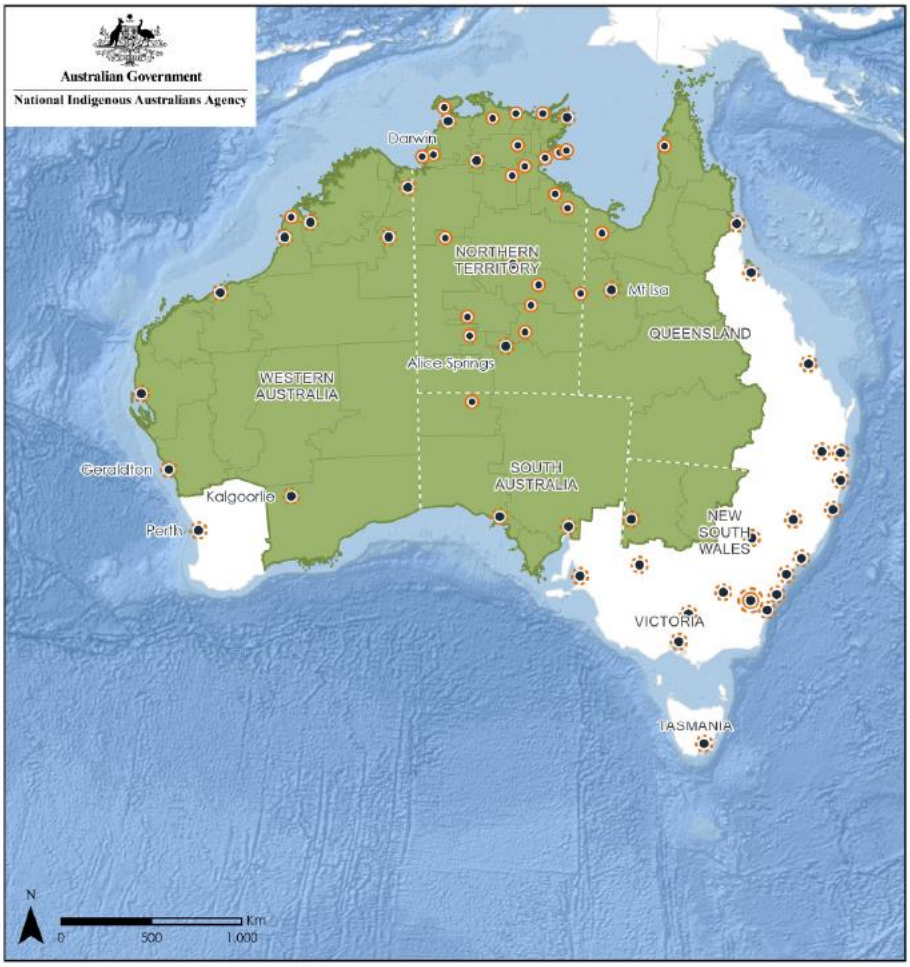
	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Agency.
	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Agency. Attach a letter of support from each consortia organisation. Ensure that each letter of support includes the information required as set out in section 7.2 of this document.

Non-government applicants

If you are a non-government applicant who does not have a current grant agreement with the NIAA, or former IAS grant agreement with the Department of the Prime Minister and Cabinet (PM&C), you will need to attach the following supporting documentation:

	A copy of the applicant's most recent financial statements, such as an audited expenditure report, income and expenditure statement, or a balance sheet.
	A copy of the applicants Certificate of Incorporation where relevant. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	If the applicant is not able to quote an ABN as required in the application form they will be required to provide a copy of a completed 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form that can be found on the ATO website.

Appendix 3: Map and list of Remote Employment Services Regions and NIAA regions



Remote Jobs Employment Development (RJED)
Remote Employment Services (RES) regions

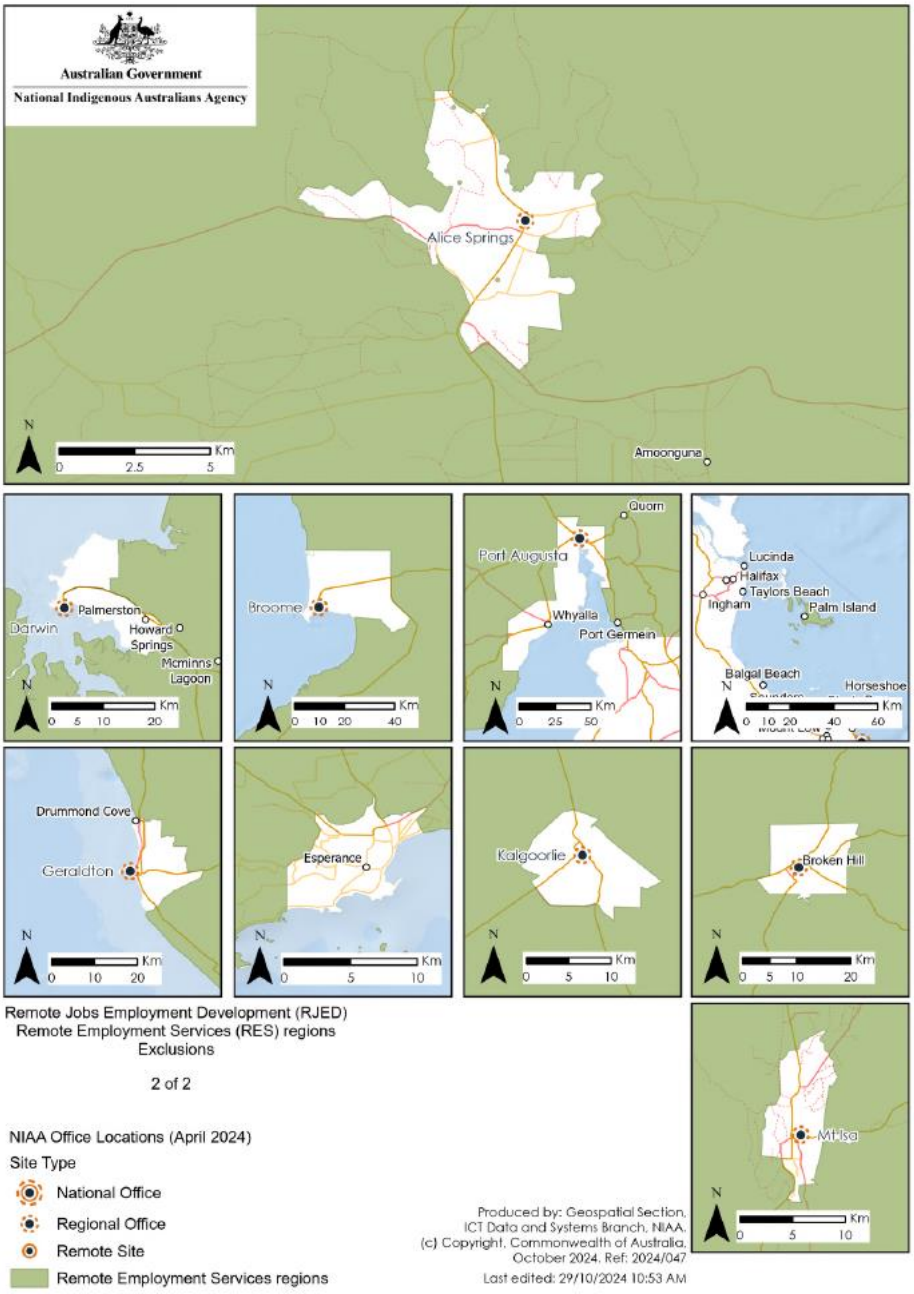
1 of 2

NIAA Office Locations (April 2024)

Site Type

- National Office
- Regional Office
- Remote Site
- Remote Employment Services regions

Spatial Reference:
Datum: GDA2020
Projection: Albers
Scale: 1:25,000,000
Scale correct when printed A4 portrait
Produced by: Geospatial Section, ICT Data and Systems Branch, NIAA.
(c) Copyright, Commonwealth of Australia, October 2024. Ref: 2024/047
Last edited: 29/10/2024 10:51 AM



As outlined in section 6, applications must be for ONE NIAA region only. Regional job allocations are based on NIAA regions, you will need submit a separate application for each NIAA region where you intend to deliver a job:

- If you apply for jobs located in more than one Remote Employment Service (RES) region, but all of those jobs are in the same NIAA region, you will only need to submit one application for those jobs in that NIAA region.

- If you apply for jobs located in more than one RES Region, and those jobs are in different NIAA regions, you will need to submit a separate application for the jobs in each NIAA region.

The table below contains further guidance on the linkages between RES and NIAA Regions

NIAA Region	Remote Employment Service Region
Arnhem Land & Groote Eylandt	West Arnhem Region NT
	Maningrida Region NT
	Milingimbi/Ramingining Region NT
	Galiwin'ku Region NT
	Gapuwiyak-Yirrkala Region NT
	Groote Region NT
Central Australia	South East Alice Region NT
	South West Alice Region NT
	West Alice Region NT
	Alice Springs District NT
	North East Alice Region NT
	North West Alice Region NT
	South East Barkly Region NT
	Far West Alice Region NT
	North Barkly Region NT
Greater Western Australia	Kambalda/Norseman Region WA
	Ngaanyatjarra Lands WA
	Yaaliku Region WA
	Mid West - West Region WA
	Gascoyne Region WA
	Mid West - East Region WA
	Karratha Region WA
	Port Hedland Region WA
	Western Desert Region WA
Kimberley	Christmas-Cocos Islands
	Kullarri Region WA

	Fitzroy Valley Region WA
	Halls Creek/Tjurabalan Region WA
	Derby/Gibb River Region WA
	East Kimberley Region WA
North Queensland	Cloncurry Region QLD
	West Isa/Alpurrurulam Region QLD
	Doomadgee Region QLD
	Palm Island QLD
	Wellesley Islands QLD
	Western Tablelands Region QLD
	Carpentaria Region QLD
	Cook Region QLD
	Kowanyama/Pormpuraaw Region QLD
	Central Cape Region QLD
	Western Cape Region QLD
	Northern Peninsula Area QLD
	Aurukun/Coen Region QLD
	Torres Strait Islands QLD
South Australia	Eyre Region SA
	Far West Region SA
	Flinders and Far North Region SA
	Anangu Pitjantjatjara Yankunytjatjara Lands SA
	South West Region QLD
	Central West Region QLD
Top End & Tiwi Islands	Gulf Region NT
	Ngukurr/Numbulwar Region NT
	Katherine Region NT
	Victoria River Region NT
	Central Arnhem Region NT
	Wadeye Region NT

	Darwin Daly Region NT
	Tiwi Region NT
Western NSW	Far West Region NSW
	Upper Darling Region NSW